



## Environmental Laboratory Advisory Committee (ELAC) Final Meeting Minutes: September 10, 2015

*Note: Information communicated in these minutes is not to be used as official New Jersey Department of Environmental Protection policy or as an official Department notification. Contact NJDEP officials directly for official information regarding matters communicated in these minutes.*

### **Administrative Business:**

The meeting was called to order at 9:30am by the ELAC Chair, Eileen Snyder (Alpha Analytical). Meeting minutes were taken by the Tom Cady (APL). The August 2015 ELAC Meeting Minutes were approved, with a motion by Harvey Klein (Garden State Laboratories) and seconded by Les Glessner (Landis Sewerage Authority).

**Environmental Laboratory Certification Program (ECLP):** NJDEP OQA did not have a representative at the meeting (due to an off-site meeting). At the next meeting, the Department plans to discuss the recent NJDEP OQA letter sent to laboratories (dated September 8, 2015) on Sufficiently Sensitive Methods for Testing Regulated Wastewater and Biosolids. The letter stated, "if you are a certified contract laboratory performing testing in support of a permittee/client NPDES requirement, you must ensure that you are using a method sufficiently sensitive enough to meet those requirements for all reported parameters". Harvey Klein (GSL) and Tom Cady (APL) initiated discussion regarding whose responsibility it is to select the analytical method for discharge permit compliance projects. It was noted that for many contracts and projects the laboratory does not receive the permit and runs the analyses as specified on the chain of custody. It was agreed that if the permittee sends the permit to the laboratory it is the laboratory's responsibility to review the permit limits and suggest the appropriate analytical approach and methods, but the ultimate responsibility for meeting the permit limits remains with the permittee.

**Proficiency Test (PT) Program:** No update provided

**The NELAC Institute (TNI):** No update provided

**Sludge / Biosolids:** No update provided. For questions regarding this program contact Anthony Pilawski at [Anthony.Pilawski@dep.nj.gov](mailto:Anthony.Pilawski@dep.nj.gov), 609-633-3823.

**Division of Water Supply/Safe Drinking Water:** Linda Bonnette (NJDEP-BSDW) provided a program update.

Charles Anzolut (Agra Environmental) requested clarification on resampling requirements under the Revised Total Coliform Rule (RTCR) (effective in April 2016). After a TC failure, what is the responsibility of the water system and the laboratory for upstream and downstream sampling if site accessibility is limited or denied? Who selects the sample points? Is repeat sampling at the same sample point acceptable if site access is denied? Harvey Klein (GSL) stated the system is the responsible entity and must direct the laboratory to the appropriate sampling point. Linda Bonnette (NJ DEP-BSDW) will respond at the October 2015 meeting with an update on guidance being developed by the Department.

Charles Anzolut (Agra Environmental Lab) requested a key sheet providing a definition for all the violation codes from the Drinking Water Watch System. Linda Bonnette (BSDW) will provide the list of codes at the next meeting.

Questions on the Drinking Water Program may be emailed to Linda Bonnette (NJDEP-BSDW) at: [linda.bonnette@dep.state.nj.us](mailto:linda.bonnette@dep.state.nj.us)

**Site Remediation Program:** A program update was provided by Greg Toffoli (NJDEP-SRP).

A notice of request for proposal was sent the ELAC mailing list for drinking water analysis under the Department of Treasury Purchase and Property. There was an option in the request for proposal to submit written question by logging into NJ Start, the state's new eProcurement System. <https://www.njstart.gov/bsa/>

Site Remediation group is merging with Solid Waste group which will involve a substantial reorganization with the goal of streamlining both groups including contracting, IT and other functions.

Questions on the SRP program may be emailed to Greg Toffoli (NJDEP-SRP) at [greg.toffoli@dep.nj.gov](mailto:greg.toffoli@dep.nj.gov).

**Subcommittees:**

**MUR Subcommittee:** No updates provided

**EDD Subcommittee:** An update was provided by Roger Page and Ken Liao (NJDEP-SRP-BIS)

NJDEP has received no comments on the process for subcontract lab data submissions outlined as an attachment to the August 2015 Meeting Minutes. NJDEP continues to work on the set of valid values and requested support from a few interested laboratories in reviewing the values (this can be done by pulling the file into LIMS and running a quick check).

Questions and comments may be directed to Roger Page (NJDEP-SRP-BIS) at: [roger.page@dep.nj.gov](mailto:roger.page@dep.nj.gov)

**Communications / OQA Website:**

ELAC Chair, Eileen Snyder (Alpha Analytical) reported that the NJDEP-OQA website is up to date. The ELAC bylaws were recently drafted, approved by the former ELAC chairs and are now posted on the ELAC website.

**Meeting Schedule:** The Meeting was adjourned with a motion by Charles Anzolut (Agra Environmental) and, seconded by Himanshu Prajapati (Chemtech). The next scheduled ELAC Meeting will be held on **Thursday October 8, 2015 at 9:30AM**, at NJDEP, 401 East State Street, **5<sup>th</sup> Floor Conference Room** in Trenton, New Jersey. Those planning to attend must email the ELAC Secretary, Dorothy Love at: [dorothylove@eurofinsUS.com](mailto:dorothylove@eurofinsUS.com) by Friday, September 25, 2015.

**Note:** *All visitors must show one form of photo identification, or two non-photo IDs, when signing in at the NJDEP main lobby in the Trenton, New Jersey complex (401, 501, 440 and 428 E. State Street buildings). All visitors should be prepared to verify their identification. Visitors must be escorted at all times by a NJDEP representative when in the building.*



## State of New Jersey

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of Quality Assurance

401 E. State Street

P.O. Box 420, Mail Code 401-02D

Trenton, NJ 08625-0420

TEL: # (609) 292-3950

FAX # (609) 777-1774

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

BOB MARTIN  
Commissioner

September 8, 2015

### Re: Use of Sufficiently Sensitive Test Methods for Permit Applications and Reporting of Chemical-Specific Monitoring Data

Dear Laboratory Manager:

Enclosed is a copy of a joint letter prepared by the New Jersey Department of Environmental Protection (Department) Bureau of Surface Water Permitting and the Office of Quality Assurance (OQA) regarding the use of sufficiently sensitive methods. This letter was sent to permitted wastewater treatment facilities in January 2015.

Permittees must contact the Bureau of Surface Water Permitting (BSWP) at 609-292-4860 for information regarding the quantitation limits (QL)/minimum levels (ML) that need to be achieved in order to demonstrate compliance with the requirements of their discharge permits.

The requirement to utilize sufficiently sensitive methods needs to be met whether or not the permit contains a numerical limit based on the water quality based standard for the waters receiving the permitted discharge and the BSWP can assist with determining parameter specific QLs/MLs.

If you are a certified contract laboratory performing testing in support of a permittee/client National Pollution Discharge Elimination System (NPDES) requirement, you must ensure that you are using a method sufficiently sensitive enough to meet those requirements for all reported parameters.

Laboratories can contact the OQA at 609-292-3950 with any questions regarding analytical testing methods. In addition, the OQA will be sending an email to all laboratories clarifying the specific testing requirements and analytical method options for chlorine produced oxidants (CPOs).

Sincerely,

Michele Potter

Environmental Specialist 4

Enclosure



State of New Jersey

CHRIS CHRISTIE  
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Mail Code - 401-02B  
Division of Water Quality  
Bureau of Surface Water Permitting  
P.O. Box 420 - 401 E State St  
Trenton, NJ 08625-0420  
Phone: (609) 292-4860 / Fax: (609) 984-7938

BOB MARTIN  
Commissioner

KIM GUADAGNO  
Lt. Governor

Re: Use of Sufficiently Sensitive Test Methods  
for Permit Applications and Reporting

Dear Sir/Madam:

The U.S. Environmental Protection Agency (EPA) has finalized amendments to its Clean Water Act (CWA) regulations under 40 CFR 122.21, 122.44, and 40 CFR 136 on August 19, 2014. These changes codify that under the National Pollutant Discharge Elimination System (NPDES) program, where EPA has promulgated or otherwise approved analytical methods under 40 CFR Part 136, or 40 CFR Chapter I, subchapters N and O, permit applicants must use "sufficiently sensitive" analytical test methods when completing an NPDES permit application. In addition, EPA has decreed states must require that only "sufficiently sensitive" methods be used for analyses of pollutants or pollutant parameters under their NPDES permit.

The purpose of this rulemaking is to clarify that NPDES applicants and permittees must use EPA-approved analytical methods that are capable of detecting and measuring the pollutants at, or below, the applicable water quality criteria or permit limits. Through these amendments EPA has modified existing NPDES application, compliance monitoring, and analytical methods regulations. This final rule became effective on September 18, 2014 and upon receipt of this letter all analytical monitoring shall be in compliance with the final rule. The amendments in this final rulemaking affect only chemical-specific methods; they do not apply to the Whole Effluent Toxicity (WET) or microbiological testing methods.

For the purposes of this requirement, a method approved under 40 CFR part 136 or required under 40 CFR chapter I, subchapter N or O is considered 'sufficiently sensitive' when:

- A. The method minimum level (ML) is at or below the level of the effluent limit established in the permit or applicable water quality criterion for the measured pollutant or pollutant parameter; or
- B. The method ML is above the applicable water quality criterion, but the amount of the pollutant or pollutant parameter in a facility's discharge is high enough that the method detects and quantifies the level of the pollutant or pollutant parameter in the discharge; or
- C. The method has the lowest ML of the analytical methods approved under 40 CFR part 136 or required under 40 CFR chapter I, subchapter N or O for the measured pollutant or pollutant parameter.

Should you have any questions or comments regarding analytical monitoring methods, please contact the Office of Quality Assurance at (609) 292-3950. Should you have any questions or comments regarding how this could impact your permit, please contact the Bureau of Surface Water permitting at (609) 292-4860.

Sincerely,

Pilar Patterson, Chief  
Bureau of Surface Water Permitting

Sincerely,

Joseph Aiello, Manager  
Office of Quality Assurance